

Section

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#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants:

Marvin A. Leedom, John G. Aceti, Walter P. Sjursen, Derek D.  
Mahoney, John M. Margicin, Michael H. Tardugno, Robert R.  
Demers, John E. Oltman, Robert C. Maxwell and Frederick J. Fritz

Application No.:

09/524,501

Group: 2747

Filed:

March 13, 2000

Examiner:

For:

HEARING AID

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>8/18/00</u>	<u>Delinda Cormier</u>
Date	Signature
<u>Delinda Cormier</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated May 18, 2000, the following documents and fees are being submitted for filing in the captioned application:

☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.

(Separate transmittal letter and postcard not required)

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** - surcharge fee of \$130.00.

(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

**[ X ] PETITION FOR EXTENSION OF TIME**

[X] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated May 18, 2000 for one-month from July 18, 2000 to August 18, 2000. The appropriate fee of \$110.00 is included in the enclosed check.

[ ] A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

[ ] Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

**[ ] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.**

*(Separate transmittal letter and postcard required)*

**[ ] VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

[ ] Was filed on [ ].

[ ] Is enclosed herewith.

*(Separate transmittal letter and postcard not required)*

[ ] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$3510.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By



Erik L. Ence

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Lexington, Massachusetts 02421-4799

Date: August 18, 2000



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## FORMALITIES LETTER



\*OC000000005123887\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/524,501	03/13/2000	Marvin A Leedom	2506.2008-001

Leo R Reynolds Esq  
Hamilton Brook Smith & Reynolds PC  
Two Militia Drive  
Lexington, MA 02421-4799

Date Mailed: 05/18/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$2580.
  - \$864 for 48 total claims over 20.
  - \$1716 for 22 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3400.

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*A copy of this notice MUST be returned with the reply.*

D. King

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/24/2000 CNGUYEN 00000070 09524501

01 FC:101	690.00 OP
02 FC:105	130.00 OP
03 FC:103	864.00 OP
04 FC:102	1716.00 OP

# HAMPTON, BROOK, SMITH & REYNOLDS, P.C.

OIP  
 AUG 22 2000  
 PATENT & TRADEMARK OFFICE

## FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	2506.2008-001
Application Number	09/524,501
First Named Inventor	Marvin A. Leedom

AUG 22 2000  
 PATENT & TRADEMARK OFFICE

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	68 - 20* =	48	x \$ 18 =	\$ 864
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	25 - 3** =	22	x \$ 78 =	\$ 1716
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 690
				Total of above Calculations =	\$ 3270
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 3270
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 110
	Assignment Recordation Fee = (only when filed with application)				\$
	TOTAL =				\$ 3510

\* Reissue claims in excess of 20 and over original patent  
 \*\* Reissue independent claims over original patent

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$3510.00. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature	<i>Erik L. Ence</i>	Date	August 18, 2000
Submitted by Typed or Printed Name	Erik L. Ence	Reg. Number	42,511